IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMARY SUIT NO.3827 OF 2002

Jayesh Shah ....Plaintiff
V/s.
Anil Parekh ....Defendant

Ms.Udaipuri i/b Mr.R.S. Mishra for the Plaintiff.
None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 30TH NOVEMBER, 2005.

P.C. :

1. The suit is filed to recover the amounts lent and advanced by the Plaintiff to the Defendant.

2. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

3. Ms.Udaipuri states the original documents were tendered in Court earlier. The same are not available presently. The compilation of the xerox copies thereof are tendered in Court. The same is taken on record and marked Exhibit 1-A.

4. In any event the claim in suit is admitted. A loan agreement dated 15th December, 1998 was

executed by the parties. The receipts have been executed by the Defendant acknowledging the receipt of the amounts claimed in the suit. A bill of exchange dated 8th January, 1999 was also drawn and accepted by the Defendant. The Defendant has further confirmed in writing the balance amounts due by him to the Plaintiff.

5. There is no defence. There is nothing on record that militates against the Plaintiff’s claim in suit.

6. In the circumstances, the suit is decreed as prayed with costs.

7. Refund as per rules.

8. The Plaintiff shall be at liberty to withdraw the original documents as they are required in other proceedings pending tendering in lieu thereof the copies certified by the advocate to be true copies of the originals.